

REMARKS

The present preliminary amendment is being submitted with a Request for Continued Examination (RCE) under 35 U.S.C. 1.114. The present RCE is being submitted prior to the 3 month date from the final Office Action, mailed on a January 31, 2005. The present preliminary amendment includes amendments to the claims, as noted above. Therefore, in accordance with 35 U.S.C. §1.114, Applicants request a non-final Office Action or in the alternative, a Notice of Allowance.

Claims Amendments

As noted above, claims 21, 24, 40, 44-45, 48 and 51 have been amended. Claims 46-47 and 50 have been cancelled.

Double Patenting

Claims 13-16, 21, 24-27 and 29-34 previously stood rejected under the judicially created doctrine of double patenting. Applicant respectfully disagrees, but in order expedite the prosecution of the present application, attached hereto is a signed Terminal Disclaimer in compliance with 37 C.F.R. §3.73(b). As such, it is submitted the rejection is moot.

Rejection under 35 U.S.C. §102(e)

Claims 21-25, 35, 36, 40-49, 52 and 53 previously stood rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,272,801 ("Suh").

Applicant respectfully submit that the above-noted claims, as amended, are not anticipated by the teachings of Suh.

Claim 21 recites "the outward end includes an inner chamber interiorly extending therein." In the previous office action, the Examiner indicated that Suh discloses the claimed the second screwless interlock by the post 162 including the latch hook 163, as illustrated in Fig. 6b (not properly labeled in the drawings of Suh). Claim 44 also recites "a second screwless interlock having a tab within an inner chamber." While applicant maintains the position that Suh fails to disclose the features of claim 21, Applicant further submits that the post 162 is illustrated as a unifying structure. Therefore, the unified circular post structure of Suh does not disclose an inner chamber, as claimed in claims 21 and 44. As such, the rejection is improper because Suh fails to disclose all of the limitations of claims 21 and 44.

Claim 24 recites, *inter alia*, “a first temporary support member adapted to prevent the engagement of the first and second interlocks when the frame assembly is transported prior to installation.” Claims 40 and 48 also recite similar limitations regarding temporary support members keeping the screwless interlocks out of engagement during transportation. Suh does not disclose any features providing for the prevention of engagement of first and second interlocks. Furthermore, Suh discusses the decorative window assembly, but only discusses the assembly from the assembly perspective, not addressing transporting the frame assembly prior to installation. As such, it is submitted the rejection is improper because Suh fails to disclose all of the limitations of claims 24, 40 and 48.

It is further submitted that claims 22-23, 25, 35, 36, 41-43, 45, 49, 52 and 53 contain further limitations in view of independent claims 21, 24, 40, 44 and 48 and are patentable for at least the reasons listed above.

Objection under 35 U.S.C. §102(e)

Claims 17-20, 28, 37-39 and 51 previously stood objected to as being dependent upon an allowable base claim. In view of above, it is submitted the objection is improper and the independent claims are allowable.

CONCLUSION

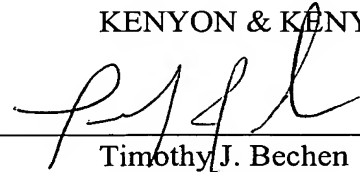
All rejections and objection have been addressed. Reconsideration of the amended application and passage to allowance is respectfully requested.

Respectfully submitted,

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